

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TIMOTHY LEVI NELSON,)	
)	
Petitioner,)	
)	
v.)	No. 4:06-CV-625 CAS
)	
STATE OF MISSOURI,)	
)	
Respondent.)	

ORDER OF DISMISSAL

In accordance with the memorandum and order of this date and incorporated herein,

IT IS HEREBY ORDERED that petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED**, without prejudice, for failure to exhaust available state remedies.

IT IS FURTHER ORDERED that petitioner is **DENIED** a certificate of appealability if he appeals this order of dismissal.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 11th day of May, 2006.